

FORM PTO-1390  
(REV. 10-2003)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

59376.US/0910.2

TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371

U.S. APPLICATION NO. (if known, see 37 CFR 1.5)

10/500410

INTERNATIONAL APPLICATION NO.

PCT/GB02/05844

INTERNATIONAL FILING DATE

20 December 2002

PRIORITY DATE CLAIMED

8 January 2002

TITLE OF INVENTION

A DUMMY MEDICAL INSTRUMENT FOR USE IN A SIMULATOR

APPLICANT(S) FOR DO/EO/US

KEYMED (MEDICAL &amp; INDUSTRIAL EQUIPMENT) LTD

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☐ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☒ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ has been communicated by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a. ☒ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 20 below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A preliminary amendment.
14. ☐ An Application Data Sheet under 37 CFR 1.76.
15. ☐ A substitute specification.
16. ☐ A power of attorney and/or change of address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☐ Other items or information:

U.S. APPLICATION NO. (if known, see 37 CFR 1.5)

INTERNATIONAL APPLICATION NO.

ATTORNEY'S DOCKET NUMBER

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## 21. The following fees are submitted:

**BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)):**

Neither international preliminary examination fee (37 CFR 1.482)  
nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO  
and International Search Report not prepared by the EPO or JPO..... \$1080.00

International preliminary examination fee (37 CFR 1.482) not paid to  
USPTO but International Search Report prepared by the EPO or JPO..... \$920.00

International preliminary examination fee (37 CFR 1.482) not paid to USPTO  
but international search fee (37 CFR 1.445(a)(2)) paid to USPTO..... \$770.00

International preliminary examination fee (37 CFR 1.482) paid to USPTO  
but all claims did not satisfy provisions of PCT Article 33(1)-(4)..... \$730.00

International preliminary examination fee (37 CFR 1.482) paid to USPTO  
and all claims satisfied provisions of PCT Article 33(1)-(4)..... \$100.00

**ENTER APPROPRIATE BASIC FEE AMOUNT =**

**CALCULATIONS PTO USE ONLY**

\$ 920.00

Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months  
from the earliest claimed priority date (37 CFR 1.492(e)).

\$

**CLAIMS****NUMBER FILED****NUMBER EXTRA****RATE**

\$

Total claims

8 - 20 =

0

x \$18.00

\$

0

Independent claims

2 - 3 =

0

x \$86.00

\$

0

**MULTIPLE DEPENDENT CLAIM(S) (if applicable)**

+ \$290.00

\$

0

**TOTAL OF ABOVE CALCULATIONS =**

\$

920.00

☐ Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above  
are reduced by 1/2.

\$

**SUBTOTAL =**

\$

920.00

Processing fee of \$130.00 for furnishing the English translation later than 30 months  
from the earliest claimed priority date (37 CFR 1.492(f)).

\$

**TOTAL NATIONAL FEE =**

\$

920.00

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be  
accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +

\$

**TOTAL FEES ENCLOSED =**

\$

920.00

Amount to be  
refunded:

\$

charged:

\$

a. ☒ A check in the amount of \$ 920.00 to cover the above fees is enclosed.

b. ☐ Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ to cover the above fees.  
A duplicate copy of this sheet is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any  
overpayment to Deposit Account No. 12-2355. A duplicate copy of this sheet is enclosed.

d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card  
information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**NOTE:** Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137 (a)  
or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

Robert O. Fox, Esq.  
LUEDEKA, NEELY & GRAHAM PC  
P.O. Box 1871  
Knoxville, TN 37901

SIGNATURE

Robert O. Fox

NAME

34,165

REGISTRATION NUMBER



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DT04 Rec'd PCT/PTO 24 JUN 2004

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LITIGATION

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June 24, 2004

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

ANDREW S. NEELY

MARK S. GRAHAM

ROBERT O. FOX

Re: A DUMMY MEDICAL INSTRUMENT FOR USE  
IN A SIMULATOR  
U.S. Patent Application based on PCT/GB02/05844  
LNG File No. 59376.US / 0910.2

DAVID E. LAROSE

GEOFFREY D. KRESSIN

RICHARD W. BARNES, JR

MARK P. CROCKETT

Sir:

Enclosed is the transmittal letter for entry into National Stage Under 37 USC § 371. Because the inventor was not available to execute the oath or declaration, none is submitted herewith. The inventor's name, address and citizenship is as follows:

Inventor Name And Address	Citizenship
Daniel Mark WALLAKER 94 New Road Great Wakering Essex SS3 OAS United Kingdom	GB

J. DAVID GONCE

MICHAEL T. LUKON

JULIE A. BIRDWELL

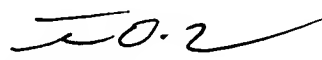
MICHAEL J. BRADFORD

A properly executed declaration will be submitted within the time period set. Under 37 C.F.R. § 1.53(b), the application as filed is entitled to a filing date, and it is respectfully requested that the application receive a filing date of June 24, 2004, under the Express Mail procedure (37 C.F.R. § 1.10).

Please note that this is a U.S. National Phase of International Patent Application No. PCT/GB02/05844, claiming priority of the following UK applications 0200325.9 with a filing date of 8 January 2002, and 0213981.4 with a filing date of 18 June 2002.

FRED THOMSEN  
OF COUNSEL

Respectfully submitted,  
LUEDEKA, NEELY & GRAHAM, P.C.

By:   
Robert O. Fox  
Registration No. 34,165

ROF:mse  
Enclosures  
"Express Mail" Mailing Label No. EV 327 365 918 US  
Date of Deposit: June 24, 2004